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EXAMINER

TRUONG, LECHI

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2194

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/753,522	Applicant(s) MCGINN ET AL.	
	Examiner LECHI TRUONG	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 are presented for the examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 6-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to apparatus claims, but appearing to be comprised of software alone without claiming associated computer hardware required for execution. For example, claim 6 defines “apparatus” in the preamble and the body of the claim recites “means for determining”, “means for sending”. The specification mentions the applet 305 determines a server(page 14, ln 20), the applet may include executable or interpretable code or statements(page 4, ln 23-24), the controller 172 sends the messages , the controller 172 includes instructions which a software (page 7, ln 17-20) . Thus, applet and the controller 172 appear to be software modules. Therefore, claim 6 is non-statutory because it recites a claim that comprises software per se embodiments.

DETAILED ACTION

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-9, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (US 2004/0122951 A1) in view of Kafri(US 20030223551 A1) in view of French(US 5437024 A) and further in view of Shires (US. 6,792,102).

4. **As to claim 1**, Beck teaches the invention substantially as claimed including: server(server 107, para[0017], ln 8-13), determining a server(if the identified contact information is a telephone number, a link is created on the Web page to a click-to-dial service provider's server shown in FIG. 1 as server 107, para[0017], ln 8-13), a preferred delivery technique(the point of contact, left col 7, ln 18-24 / the point of contact of Web server 104, para[0017], ln 20-25/ the point of contact information, para[0017],ln 1-3), a recipient(telephone, left col 7, ln 18-24/ telephone 110, para[0017], ln 20-23/ the end-user's telephone 111, para[0017], ln 20-25), a preferred delivery technique associated with a recipient (a telephone at the telephone number associated with the point of contact, left col 7, ln 18-24/ to the telephone 110 associated with the point of contact of Web server 104, and to the end-user's telephone 111, para[0017], ln 20-25), a message(telephonic connections , left col 7, ln 18-24/a phone call between the end-user and the link request, para[0003], ln 12-17), in response to a message intended for the recipient(the end-user establishes telephonic connections to a telephone at the telephone number associated with

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the point of contact, left col 7, ln 18-24/ the click-to-dial server determines the end-user's telephone number from, for example, a cookie in the request. The server then sets up a phone call between the end-user and the link request, para [0003], ln 12-17), selected via a page (identifies point of contact information within a Web page, para [0017], ln 1-5), indication(a telephone number, para[0002], ln 18-20/ para[0017], ln 12-20) , an indication of the preferred delivery technique(The potential point of contact information included in the Web page can be, for example, but are not limited to, a name and street address, a phone number, para[0015], ln 24-25), and sending an indication of the preferred delivery technique to the server (a request is issued by browser 103 to server 107, shown illustratively in FIG. 1 as the dotted connection 108 between client 101 and server 107. The URL of that request identifies to server 107 the telephone number identified within the Web page. The end-user's own telephone number [indication] is identified to server 107 by means of, for example, a cookie included in the request, para [0017], ln 12-20), wherein the determining further comprises finding a telephone area code, a telephone exchange(para[0002], ln 16-23), a telephone number of the recipient in the page and determining the server that is identified by the telephone area code(para[0017], ln 8-17), call the recipient and plays the message if the preferred delivery technique comprises voice, para[0002], ln 16-25), sends a email of the message to the recipient if the preferred delivery technique comprises an email transmission(para[0015], ln 23-29), prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery(para[0006], ln 26-32/ para[0015] , ln 23-29).

5. Beck does not explicitly teach sending the message intended for the recipient to the server, the server that is identified by the telephone area code, wherein the server is physically

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located within a region served by the telephone area code. However, Kafri teaches sending the message intended for the recipient to the server, the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code (a sender recording a message for an addressee at a first server; and the first server converting the message to an attached file in e-mail format and sending the e-mail format message via the Internet to a second server, the second server being located in the local telephone code area of the addressee, left col 3, ln 11-17), appending the telephone number to the file(para[0015], ln 9-15/ para[0015], ln 23-29).

6. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck with Kafri to incorporate the feature of sending the message intended for the recipient to the server, the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code because this allows a message to reach the box in a short time.

7. Beck with Kafri do not teach the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue. However, French teaches the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue (The controller receives a report, and using positional and/or reference cues contained in the report, obtains identifying information as to intended report recipients. The identifying information is used to look up destination information relating to the recipient, such as the recipient's facsimile machine telephone number, in a database. The controller is automatically

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operative to queue the report(abstract, ln 12-22/ the contents of the queued file are to be printed, and step 153 sends the queued file to the printed if the response to the check in step 152 is affirmative, col 20, ln 48-52)/ assuming that reports have been queued as described the report recipients identified by the module 140, and identification information as to the report recipients (for example, the fax number(s) of all report recipients) passed as parameters to the module 180, col 26, ln 60-67/ assigning temporary file names, queuing files for subsequent processing by passing file names to other processes, col 16, ln 52-55).

8. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck and Kafri with French to incorporate the feature of the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue because this minimizes the time, number of personnel, and amount of equipment necessary to the distribution of such information.

9. Beck, Kafri and French do not explicitly teach sending message and indication of the preferred delivery technique to the queue at the server. However, Shires teaches sending message and indication of the preferred delivery technique to the queue at the server (The Telephony server 120 identifies the corresponding call-back request, which may be queued in the Telephony server 120, col 4, ln 7-9/ the identification of the user who issues the call-back request 510 and the call-back phone number may be extracted from the request 510 and recorded in a queue of call-back requests , a pair , in the Telephony server 120, col 7, ln 30-35).

10. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck, Kafri and French with Shires to incorporate the

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feature of sending message and indication of the preferred delivery technique to the queue at the server because this provides web activation capability and automated call-back capability, to the existing call centers without introducing any disruption to the systems.

11. **As to claim 2**, French teaches a spool file (col 17, ln 30-31).

12. **As to claim 3**, Beck teaches wherein the preferred delivery technique is encoded in the page (modifying the Web page by converting such point of contact information into click-to-contact links on the Web page, para [0026], ln 15-18/the Web page for detecting and converting contact information contained with the content of the Web page into click-to-contact links, para [0021], ln 18-21).

13. **As to claim 6**, it is an apparatus claim of claim 1; therefor, it is rejected for the same reason as claim 1 above. In additional, Beck teaches determining a server(if the identified contact information is a telephone number, a link is created on the Web page to a click-to-dial service provider's server shown in FIG. 1 as server 107, para[0017], ln 8-13), a preferred delivery technique(the point of contact, left col 7, ln 18-24/the contact information, para[0015], ln 24-29/ the point of contact information, para[0017],ln 1-3/ the telephone number, para[0017], ln 1-6), a recipient(telephone, left col 7, ln18-24/ telephone 110, para[0017], ln 20-23/ and to the end-user's telephone 111, para[0017], ln 20-25), a preferred delivery technique associated with a recipient (a telephone at the telephone number associated with the point of contact, left col 7, ln 18-24/telephonic connection over the POTS network 109 to the telephone 110 associated with the point of contact of Web server 104, and to the end-user's telephone 111, para[0017], ln 20-25), a message(the telephonic connections, left col 7, ln 18-24/ a phone call between the end-user and the link request, para[0003], ln 12-17/ the telephone connection, para[0017], ln 15-22),

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in response to a message intended for the recipient(the end-user establishes telephonic connections to a telephone at the telephone number associated with the point of contact, left col 7, ln 18-24 /the click-to-dial server determines the end-user's telephone number from, for example, a cookie in the request. The server then sets up a phone call between the end-user and the link request, para[0003], ln 12-17), selected via a page(identifies point of contact information within a Web page, Para[0017], ln 1-5), the preferred delivery technique is encoded in the page(the Web page for detecting and converting contact information contained with the content of the Web page into click-to-contact links, para [0021], ln 18-21/ modifying the Web page by converting such point of contact information into click-to-contact links on the Web page , para[0026], ln 15-18/the link associated with an identified point of contact could be encoded so that when selected by the end-user, para[0028], ln 28-30), sending the message to the recipient via the preferred delivery technique and the server(In response to the request, server 107 establishes a telephonic connection [message] over the POTS network 109 to the telephone 110[recipient] associated with the point of contact [the preferred delivery technique] of Web server 104, para [0017], ln 15-22/ upon receiving the request sets up a phone call between the end-user and the link target. Generally, in these click-to-dial systems, the click-to-dial server [server] determines the end-user's telephone number [the preferred delivery] from, for example, a cookie in the request. The server then sets up phone connections [message] on the POTS (Plain Old Telephone Service) network or over an IP network to the end-user's telephone [recipient] and to the phone number of the contact that is associated with the URL of the link, and establishes a bridge between both such telephone connections to enable the end-user to communicate with the contact [recipient], para [0003], ln 15-25).

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14. **As to claim 7**, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

15. **As to claim 8**, Kafri teaches the server is further physically located within the region served by the telephone area code and the telephone exchange (col 3, ln 11-17).

16. **As to claim 9**, Beck teaches the preferred delivery technique comprises a physical delivery (a name and street address, para [0015], ln 24-28).

17. **As to claim 21**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Beck teaches a computing device (para [0026], ln 1-5/ para [0028], ln 1-3) and Shires teaches sending message and indication to the queue at the server(The Telephony server 120 identifies the corresponding call-back request, which may be queued in the Telephony server 120, col 4, ln 7-9/ the identification of the user who issues the call-back request 510 and the call-back phone number may be extracted from the request 510 and recorded in a queue of call-back requests , a pair , in the Telephony server 120, col 7, ln 30-35).

18. Claims 4, 5, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (US 2004/0122951 A1) in view of Kafri(US 20030223551 A1) in view of French(US 5437024 A) in view of Shires (US. 6,792,102) and further in view of Pedersen (US 2003/0229667 A1).

19. **As to claims 4, 5**, Beck, Kafri, French and Shires do not teach the message further comprises an order for service and an order for goods or services. However, Pedersen teaches the

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message further comprises, an order for service an order for goods or services (The server message assembling means 44 is also responsive to the identity of the sellers of goods and services goods either associated with the electronic mail received from the user of the client computer 10 based on the selection of sellers of goods or services, para [0067], ln 8-16).

20. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck, Kafri, French and Shires with Pedersen to incorporate the feature of the message further comprises an order for service an order for goods or services because this facilitates sending and receiving of messages via the Internet.

21. **As to claim 10**, it is an apparatus claim of claims 4, 5; therefore, it is rejected for the same reasons as claims 4, 5 above.

22. Claims 11-12, 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (US 2004/0122951 A1) in view of Kafri(US 20030223551 A1) in view of French(US 5437024 A) in view of Shires (US. 6,792,102) and further in view of Morris (US. 7,305,479 B1).

23. **As to claim 11**, Beck teaches an identification of recipient(the telephone 110 associated with the point of contact, para[0017], ln 20-23/ para[0015], ln 24-29), the identification(the identified point contact, para[0017]/ the point of contact information, para[0017, ln 1-5), telephone number(telephone number, para[0017], ln 1-5/ phone number[0015], ln 24-29/ the telephone number can be the type of contact information because “when point of of contact information identified within a Web page is of a type that can be directly reached telephonically

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or electronically, such as a telephone number”, para[0020], ln 2-5), a preferred delivery technique(contact information, para[0017], 1-5/ para[0015], ln 24-29), page (webpage, Para[0026], ln 15-18), encoding an identification of a recipient , a telephone for recipient and a preferred delivery into the page (converts all types of contact information[telephone number] embedded in any Web page into click-to-contact links, para[0006], ln 1-5/ the Web page for detecting and converting contact information[a preferred delivery technique] contained with the content of the Web page into click-to-contact links, para [0021], ln 18-21/ modifying the Web page by converting such point of contact information[identification] into click-to-contact links on the Web page , para[0026], ln 15-18/ the link associated with an identified point of contact could be encoded so that when selected by the end-user, para [0028], ln 28-30), since the contact information or the point of contact information is encoded, the telephone is also encoded because the contact information or point of contact information is a telephone number (If the contact information is of a type sufficient to instantly reach the identified point contact such as, for example, a telephone number, an email address, or an SIP address, para[0017], ln 1-5/ The potential point of contact information included in the Web page can be, for example, but are not limited to, a name and street address, a phone number, para[0015], ln 24-25), a telephone number for the recipient (The end-user's own telephone number is identified to server 107 by means of, for example, a cookie included in the request. In response to the request, server 107 establishes a telephonic connection over the POTS network 109 to the telephone 110 associated with the point of contact of Web server, para[0017], ln 15-21) , messages (a phone call, ln 12-27/ telephonic connections para[0032], ln 54-57), a preferred delivery technique for message intended for the recipient (identifies point of contact information within a Web page, a link is created on the Web

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page in association with that information, para[0017], ln 1-6/ In response to the request, server 107 establishes a telephonic connection [message] over the POTS network 109 to the telephone 110 [recipient]associated with the point of contact[preferred delivery technique], para [0017], ln 15-23 /If the address is a telephone number, than a connection to a click-to-dial server is effected to set up telephonic connections[messages] to that telephone number and to the end-user's telephone number, para[0032], ln 54-57/, para [0003], ln 12-17).

24. Beck does not explicitly teach sending the message intended for the recipient to the server, the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code. However, Kafri teaches sending the message intended for the recipient to the server , the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code (a sender recording a message for an addressee at a first server; and the first server converting the message to an attached file in e-mail format and sending the e-mail format message via the Internet to a second server, the second server being located in the local telephone code area of the addressee, left col 3, ln 11-17), appending the telephone number to the file(para[0015], ln 9-15/ para[0015], ln 23-29).

25. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck with Kafri to incorporate the feature of sending the message intended for the recipient to the server, the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code because this allows a message to reach the box in a short time.

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26. Beck and Kafri do not teach the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue. However, French teaches the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue (The controller receives a report, and using positional and/or reference cues contained in the report, obtains identifying information as to intended report recipients. The identifying information is used to look up destination information relating to the recipient, such as the recipient's facsimile machine telephone number, in a database. The controller is automatically operative to queue the report(abstract, ln 12-22/ the contents of the queued file are to be printed, and step 153 sends the queued file to the printed if the response to the check in step 152 is affirmative, col 20, ln 48-52)/ assuming that reports have been queued as described the report recipients identified by the module 140, and identification information as to the report recipients (for example, the fax number(s) of all report recipients) passed as parameters to the module 180, col 26, ln 60-67/ assigning temporary file names, queuing files for subsequent processing by passing file names to other processes, col 16, ln 52-55).

27. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck and Kafri with French to incorporate the feature of the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending a name of the file that is sent to the queue because this minimizes the time, number of personnel, and amount of equipment necessary to the distribution of such information.

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28. Beck, Kafri and French do not explicitly teach sending message and indication of the preferred delivery technique to the queue at the server. However, Shires teaches sending message and indication of the preferred delivery technique to the queue at the server (The Telephony server 120 identifies the corresponding call-back request, which may be queued in the Telephony server 120, col 4, ln 7-9/ the identification of the user who issues the call-back request 510 and the call-back phone number may be extracted from the request 510 and recorded in a queue of call-back requests , a pair , in the Telephony server 120, col 7, ln 30-35).

29. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck, Kafri, French with Shires to incorporate the feature of sending message and indication of the preferred delivery technique to the queue at the server because this provides web activation capability and automated call-back capability, to the existing call centers without introducing any disruption to the systems.

30. Beck, Kafri, French and Shires do not teach medium encoded with instruction. However, Morris teaches a medium encoded with instruction (The memory 124 is encoded with logic instructions, col 11, and ln 25-28).

31. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck, Kafri, French and Shires with Morris to incorporate the feature of medium encoded with instruction because this minimizes or eliminates the time, effort, and expense of rewriting content cached from the origin server to the content server within the content delivery network.

32. **As to claim 12**, French teaches a spool file (col 17, ln 30-31).

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33. **As to claim 16**, it is an apparatus claim of claim 11; therefore, it is rejected for the same reason as claim 11 above. In additional , Beck teaches processor(processor, para[0035], ln 6-7), sever(server 107, para[0017], ln 8-13), determining a server(if the identified contact information is a telephone number, a link is created on the Web page to a click-to-dial service provider's server shown in FIG. 1 as server 107, para[0017], ln 8-13), a preferred delivery technique(the point of contact, left col 7, ln 18-24/ the contact information, para[0015], ln 24-29/ the point of contact information, para[0017], ln 1-3), a recipient(telephone, left col 7, ln18-24/ telephone 110, para[0017], ln 20-23/ and to the end-user's telephone 111, para[0017], ln 20-25), a preferred delivery technique associated with a recipient (a telephone at the telephone number associated with the point of contact, left col 7, ln 18-24/telephonic connection over the POTS network 109 to the telephone 110 associated with the point of contact of Web server 104, and to the end-user's telephone 111, para[0017], ln 20-25), a message(the telephonic connections, left col 7, ln 18-24/ a phone call between the end-user and the link request, para[0003], ln 12-17), in response to a message intended for the recipient (the end-user establishes telephonic connections to a telephone at the telephone number associated with the point of contact, left col 7, ln 18-24 /the click-to-dial server determines the end-user's telephone number from, for example, a cookie in the request. The server then sets up a phone call between the end-user and the link request, para[0003], ln 12-17), selected via a page(identifies point of contact information within a Web page, Para[0017], ln 1-5); the identification of the server(a link association with identified the point of contact is the identification of server because " by selecting a link associated with the point of contact's telephone number, the click-to-dial server 107 is contacted", para[0018], ln 34-38 / the identified point contact such as ... telephone

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number, para[0017], ln 1-5/ the contact information is a telephone number which also is the identification of server because “if the identified contact information is a telephone number, a link is created on the Web page to a click-to-dial service provider's server shown in FIG. 1 as server 107”, para[0017], ln 9-12), the preferred delivery technique and an identification of server are encoded in the page(the Web page for detecting and converting contact information contained with the content of the Web page into click-to-contact links, para [0021], ln 18-21/the link associated with an identified point of contact[the identification of server] could be encoded so that when selected by the end-user, para[0028], ln 28-30/ the identified point of contact or contact information can be a telephone number which is the identification of server as explained above. Therefore, the decoding the point of contact or the contact information is the decoding the identification of server), sending the message to the recipient via the preferred delivery technique and the server (server 107 establishes a telephonic connection [message] over the POTS network 109 to the telephone 110[recipient] associated with the point of contact [the preferred delivery technique] of Web server 104, para [0017], ln 15-22/ The server then sets up phone connections[message] on the POTS (Plain Old Telephone Service) network or over an IP network to the end-user's telephone and to the phone number of the contact that is associated with the URL of the link, and establishes a bridge between both such telephone connections to enable the end-user to communicate with the contact[recipient], para[0003], ln 15-25) and Morris teaches storage device encoded with instruction (The memory 124 is encoded with logic instructions, col 11, and ln 25-28).

34. **As to claims 15, 17,** Kafri teaches the server is further physically located within the region served by the telephone area code and the telephone exchange (col 3, ln 11-17).

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35. **As to claim 18**, it is an apparatus claim of claim 12; therefore, it is rejected for the same reason as claim 12 above.

36. Claims 13-14, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (US 2004/0122951 A1) in view of Kafri (US 20030223551 A1) in view of French (US 5437024 A) in view of Shires (US. 6,792,102) in view of Morris (US. 7,305,479 B1) and further in view of Pedersen (US 2003/0229667 A1).

37. **As to claims 13, 14**, Beck, Kafri, French, Shires, Morris do not teach the message further comprises an order for service and an order for goods or services. However, Pedersen teaches the message further comprises, an order for service an order for goods or services (The server message assembling means 44 is also responsive to the identity of the sellers of goods and services goods either associated with the electronic mail received from the user of the client computer 10 based on the selection of sellers of goods or services, para [0067], ln 8-16).

38. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Beck, Kafri, French, Shires, Morris with Pedersen to incorporate the feature of the message further comprises an order for service an order for goods or services because this facilitates sending and receiving of messages via the Internet.

39. **As to claims 19, 20**, they are apparatus claims of claims 13, 14; therefore, they are rejected for the same reasons as claims 13, 14 above.

Response to the argument

40. Applicant's arguments filed 05/22/2008 for claims 1-21 have been considered but are not persuasive in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/Meng-Ai An/
Supervisory Patent Examiner, Art Unit 2195

Lechi Truong

September 25, 2008